

### REMARKS

Prior to this amendment this application contained claims 1- 46 and 69 – 82. Claims 13 – 23, 38 – 44, 46, and 69 – 82 have been withdrawn from consideration. Claims 1, 12, 24, 25, 29 and 45 were rejected in the May 11, 2006 Office Action and claims 2-11, 26-28, and 30-37 were objected to. The application has been reviewed in light of the Office Action, reconsideration of the pending claims of the application is respectfully requested in light of the following remarks. Claims 1, 3, 5, 6, 7, 24 and 45 have been amended in this response and claims 2, 25 and 26 have been canceled.

Claims 1 and 12 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Park (US 2003/0209743 A1) in view of Clevenger et al. (US 2004/0227061 A1). Claim 1 has been amended to include the limitation in “objected to” claim 2. As such claim 1 is now allowable. Additionally, claim 12 depends directly from claim 1 and is allowable, *inter alia*, for the reasons that claim 1, as amended, is allowable.

Claims 24, and 29 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Clevenger et al. in view of Park. According to the Office Action each of the limitations of claims 24 and 29 are contained in Clevenger except for the base layer width of the trench being smaller than the top width of the trench. The Office Action relies on Park to disclose this limitation. Claim 24 has been amended to include the limitations of rejected claim 25 and objected to claim 26 and, as amended, is now allowable. Additionally, claim 29 depends directly from claim 24 and is allowable, *inter alia*, for the reasons that claim 24, as amended, is allowable.

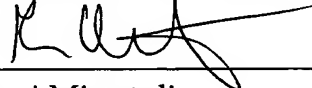
Claim 45 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Clevenger et al. in view of Park. As amended, claim 45 includes “wherein the at least one trench structure has sidewalls and contains a first material that prevents a portion

of photons or charged particles from passing through the trench structure to the array”  
and is therefore patentable over the Clevenger/Park combination.

In view of the above amendment, Applicant believes the pending application  
is in condition for allowance.

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Respectfully submitted,

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